

FILED

DEC - 3 2007

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA

U.S.A. vs. STEVEN RAYMOND ARNOLD**Docket No. 04-00010-001 ERIE****Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Steven Raymond Arnold, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 17th day of September 2004, who fixed the period of supervision at two years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. The defendant shall submit to one drug urinalysis within 15 days after being placed on supervision and at least two periodic drug tests thereafter. Further, the defendant shall be required to contribute to the cost of services for any such treatment not to exceed an amount determined reasonable by the Probation Officer's Sliding Scale for Substance Abuse Treatment Services.
- The defendant shall be deported if, after notice and hearing pursuant to the Immigration and Naturalization Act, 8 U.S.C. § 1228(d)(5), the Attorney General demonstrates by clear and convincing evidence the alien is deportable.
- The defendant shall pay to the United States a special assessment of \$100.

09-17-04: Illegal Entry of Deported Alien; 11 months' custody of the Bureau of Prisons, to be followed by 2 years' supervised release.

02-16-05: Released to supervision; Currently supervised by U.S. Probation Officer David J. Conde.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS
FOLLOWS:**

Your Petitioner reports that the supervised releasee has violated the following conditions:

The defendant shall not commit another federal, state, or local crime.

The defendant shall refrain from any unlawful use of a controlled substance.

A criminal complaint was issued by the Erie, Pennsylvania, Federal Bureau of Investigations field office on November 2, 2006, charging Mr. Arnold with a violation of 18 U.S.C. § 841(a)(1), Possession With Intent to Distribute and Distribution of 50 Grams or More of Cocaine Base. On November 14, 2006, a federal grand jury sitting in the Western District of Pennsylvania returned a two-count indictment against Steven Raymond Arnold. Mr. Arnold was charged with Count 1: Possession With Intent to Distribute and Distribution of 50 Grams or More of Cocaine Base and Count 2: Reentry of Removed Alien. Mr. Arnold was in possession of 161 grams of cocaine base. On March 13, 2006, Mr. Arnold appeared before the Honorable Maurice B. Cohill, Jr., and pled guilty to both counts of the indictment at 06-00064-001 Erie. On November 27, 2007, Mr. Arnold was sentenced to 121 months' custody of the Bureau of Prisons, consisting of 121 months at Count 1 and 120 months at Count 2, all counts to run concurrently, to be followed by 5 years' supervised release.

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In May 2006, Mr. Arnold returned to the United States illegally and had been arrested in the same month by the Chicago, Illinois, Police Department. Mr. Arnold, using the name of Delmar Tate, was charged with Cannabis - Possession, 2.5 to 10 grams, and on July 6, 2006, the case was stricken off with leave to reinstate (dismissed).

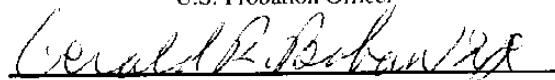
PRAYING THAT THE COURT WILL ORDER that the supervised releasee appear in Federal Court, Courtroom C, U.S. Courthouse, Erie, Pennsylvania, with legal counsel on 1/4/2008 at 10:00 am to show cause why supervision should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed December 3, 2007
on _____



David J. Conde
U.S. Probation Officer



Gerald R. Buhan
Supervising U.S. Probation Officer

Place: Erie, PA

ORDER OF COURT

Considered and ordered this _____ day of _____, 20 ____ and ordered filed and made a part of the records in the above case.

U.S. District Judge